



UNITED STATES PATENT AND TRADEMARK OFFICE

23 JAN 2009

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

NOVAK DRUCE + QUIGG LLP  
10415 SOUTHERN MARYLAND BLVD.  
DUNKIRK, MD 20754

In re Application of CLUSTER RESOURCES

U.S. Application No.: 10/530,580

PCT Application No.: PCT/US2005/008278

Int. Filing Date: 11 March 2005

Priority Date Claimed: 13 March 2004

Attorney Docket No.: 010-0028

For: SYSTEM AND METHOD PROVIDING  
OBJECT MESSAGES...

DECISION

This is in response to the correspondence filed 15 October 2008, which is being treated as a petition under 37 CFR 1.181. No petition fee is due.

**BACKGROUND**

On 11 March 2005, applicant filed international application PCT/US2005/008278, which claimed priority of an earlier United States application filed 13 March 2004.

On 07 April 2005, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission included, *inter alia*, the requisite basic national fee.

On 27 August 2008, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned for failure to respond to a Notification of Missing Requirements (Form PCT/DO/EO/905).

On 15 October 2008, applicant filed the present petition under 37 CFR 1.181.

**DISCUSSION**

A review of the application file reveals that no Notification of Missing Requirements was mailed. Therefore, the Notification of Abandonment was sent in error.

**CONCLUSION**

For the reasons above, the petition under 37 CFR 1.181 is GRANTED.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 27 August 2008 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 11 March 2005, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 07 April 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

*Bryan Lin*

Bryan Lin  
PCT Legal Examiner  
PCT Legal Office

Telephone: 571-272-3303  
Facsimile: 571-273-0459